

10-18-04

3732

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

6

Application Number	09/550,813
Filing Date	April 18, 2000
First Named Inventor	Thomas C. Rolle
Art Unit	3732
Examiner Name	Morgan, Eileen P.
Attorney Docket Number	94-042 CIP/CIP

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Cohen & Grigsby, P.C.		
Signature			
Printed name	John A. Monocello III		
Date	October 15, 2004	Reg. No.	51,022

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Docket No.

Applicant(s):

Application No.

09/550,813

Filing Date

April 18, 2000

Examiner

Eileen P. Morgan

Customer No.

30058

Group Art Unit

3723

Invention:

**METHOD AND COMPOSITION FOR REMOVING COATINGS WHICH  
CONTAIN HAZARDOUS ELEMENTS**

I hereby certify that the following documents:

- 1 Provisional Election With Traverse (5 pages)
- 1 Transmittal Form
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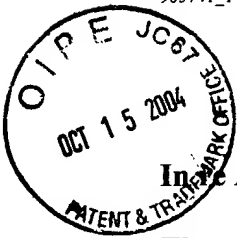
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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas C. Rolle

Serial No. 09/550,813

Filed: April 18, 2000

Art Unit: 3723

Patent Examiner: Morgan, Eileen P.

Our Ref: 94-042 CIP/CIP

**METHOD AND COMPOSITION  
FOR REMOVING COATINGS  
WHICH CONTAIN  
HAZARDOUS ELEMENTS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandra, VA 22313-1450

October 15, 2004

## PROVISIONAL ELECTION WITH TRAVERSE

This Response is filed in accordance with 37 CFR 1.111 and 1.143 to a Restriction Requirement issued by the Examiner on October 6, 2004. The Applicants will provisionally elect and traverse as stated below.

### Background

Respectfully, the Applicants are troubled by, and fervently disagree, with the latest office action issued by the Examiner. This case has languished in United States Patent Office for over four years. The Examiner's two prior restriction requirements in this case contributed to this delay. Further contributing to the delay is, respectfully, the Examiner's seeming unwillingness to address the Applicants' arguments with respect to the central reference cited by the Examiner in this case, U.S. Pat. No. 6,037,469 to Broom et al. ("Broom et al.") The Applicants have argued, several times, regarding whether Broom et al. qualifies as prior art under 35 U.S.C. 102(e) and